

THE ADVERTISER

PUBLISHED—
Morning Except Sundays,
At No. 45 Merchant St.

POLITICAL SITUATION.

The time is rapidly nearing the time when the election will be called on to determine whether he desires a good government or the opposite.

We care not who is the man, if that man is one who can trust to work for the interests of the country. And we have had a most incompetent man for the work we have entrusted to him.

The case never reached the Court in Banco. In 1890, as readers of the ADVERTISER will remember, a second attempt was made to set the will aside on the part of Junius Kahe, claiming under his deceased wife, who was a grand-daughter of the testator. The case excited great attention at the time and was thoroughly argued, but a plea of res adjudicata was sustained and the petition dismissed.

And now a third attempt is made to set aside this memorable, much debated will. The petitioner is again Junius Kahe, but he has acquired a new interest by purchase. The defense have set up a plea in bar and a demurrer. The grounds of demurrer are three:

1. Want of jurisdiction on the ground that a court of probate cannot reverse its own decrees.
2. Failure of the motion to set forth the new evidence and names of witnesses.
3. Laches.

The plea and demurrer have been argued and the case, which was heard by Dole, Judge, is now under consideration. The case involves the title to some of the finest properties in this kingdom.

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A GREAT LAW CASE.

One of the most important actions ever brought in this Kingdom is now pending in the Supreme Court. The reference is to the petition for revocation of order admitting to probate the will of Keliiahonui.

Keliiahonui was one of the ancestors of the Kalakaua family. He died in 1849 leaving a very large estate by devise to his wife Kekanohi. Kekanohi married Haelele, to whom upon her death in 1851 she left her property. Haelele sold a great deal of it during his lifetime and upon his death the residue was distributed among his heirs.

The will of Keliiahonui was admitted to probate in February, 1855. In 1866 a petition was filed in the Supreme Court with a view to setting aside the will on the ground of forgery. A. F. Judd and W. C. Jones were counsel for the petitioner. The evidence going to show that the will was forged was very strong but Judge Robertson who heard the case took the ground, that he would not set aside the will unless the evidence of its fraudulent character was beyond a reasonable doubt, thus applying a rule of evidence valid only in criminal procedure to a civil case. An appeal was taken but W. C. Jones failed to perfect it, and a writ of error was refused. Thus the case never reached the Court in Banco.

In 1890, as readers of the ADVERTISER will remember, a second attempt was made to set the will aside on the part of Junius Kahe, claiming under his deceased wife, who was a grand-daughter of the testator. The case excited great attention at the time and was thoroughly argued, but a plea of res adjudicata was sustained and the petition dismissed.

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April 2, 1891. 2730-q

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THE AUSTRALIA AND ZEALANDIA
Leave San Francisco at 2 o'clock P. M.
Leave Honolulu at 12 M. Tuesdays.
The Through Steamers Leave San Fran-
cisco and Honolulu Thursdays.

STEAMER.	LEAVE SAN FRANCISCO.	ARRIVE HONOLULU.
Zealandia.....	July 28	Aug. 4
Australia.....	Aug. 11	Aug. 18
Alameda.....	Aug. 20	Aug. 27
Zealandia.....	Aug. 25	Sept. 1
Australia.....	Sept. 8	Sept. 15
Mariposa.....	Sept. 17	Sept. 24
Zealandia.....	Sept. 22	Sept. 29
Australia.....	Oct. 6	Oct. 13
Monowai.....	Oct. 15	Oct. 22

STEAMER.	LEAVE HONOLULU.	ARRIVE SAN FRANCISCO.
Zealandia.....	Aug. 11	Aug. 18
Australia.....	Aug. 25	Sept. 1
Mariposa.....	Aug. 27	Sept. 3
Zealandia.....	Sept. 8	Sept. 15
Australia.....	Sept. 22	Sept. 29
Monowai.....	Sept. 24	Oct. 1
Zealandia.....	Oct. 6	Oct. 13
Australia.....	Oct. 20	Oct. 27
Mariposa.....	Oct. 22	Oct. 29
Zealandia.....	Nov. 3	Nov. 10
Australia.....	Nov. 17	Nov. 24
Mariposa.....	Nov. 19	Nov. 26

2690-3m

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